

Docket No.  
344-P-26-USA

# Declaration and Power of Attorney For Patent Application

## English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled  
**IN VIVO STAIN COMPOUNDS AND METHODS OF USE TO IDENTIFY DYSPLASTIC TISSUE**

the specification of which

(check one)

☐ is attached hereto.

☐ was filed on \_\_\_\_\_ as United States Application No. or PCT International Application Number \_\_\_\_\_ and was amended on \_\_\_\_\_ (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Not Claimed

\_\_\_\_\_  
(Number) (Country) (Day/Month/Year Filed)

☐

\_\_\_\_\_  
(Number) (Country) (Day/Month/Year Filed)

☐

\_\_\_\_\_  
(Number) (Country) (Day/Month/Year Filed)

☐

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

_____	_____
(Application Serial No.)	(Filing Date)
_____	_____
(Application Serial No.)	(Filing Date)
_____	_____
(Application Serial No.)	(Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C. F. R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

<b>PCT/US00/02602</b>	<b>31 JANUARY, 2000</b>	<b>PENDING</b>
_____	_____	_____
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)
_____	_____	_____
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)
_____	_____	_____
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. *(list name and registration number)*

**William H. Drummond, Reg. 20,590**

**David G. Duckworth, Reg. 39,516**

Send Correspondence to: **William H. Drummond**  
**DRUMMOND & DUCKWORTH**  
**4590 MacArthur Blvd., Suite 500**  
**Newport Beach, CA 92660**

Direct Telephone Calls to: *(name and telephone number)*  
**William H. Drummond Telephone: (949) 724-1255**

Full name of sole or first inventor <b>Douglas D. Burkett</b>	
Sole or first inventor's signature	Date
Residence <b>4736 E. Euclid, Phoenix, Arizona 85044</b>	
Citizenship <b>USA</b>	
Post Office Address <b>Same as above</b>	

Full name of second inventor, if any	
Second inventor's signature	Date
Residence	
Citizenship	
Post Office Address	

05-01-2000

Docket No.: 344-P-26-PCT

SHEET

U.S. DEPARTMENT OF COMMERCE

Patent and Trademark Office



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PCT/US

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To the Honorable Commissioner of

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the attached original documents or copy thereof.

1. Name of conveying party(ies):  
DOUGLAS D. BURKETT

2. Name and address of receiving party(ies):

JC09 Rec'd PCT/PTO 24 SEP 2001

Name: ZILA, INC.

Internal Address:

Additional names(s) of conveying party(ies) ☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other

Street Address: 5227 NORTH SEVENTH STREET

City: PHOENIX State: AZ ZIP: 85014

Execution Date: JANUARY 25, 2000

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or registration numbers(s):

If this document is being filed together with a new application, the execution date of the application is: JANUARY 31, 2000

A. Patent Application No.(s)

B. Patent No.(s)

PCT/US 00/02602

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: WILLIAM H. DRUMMOND

Internal Address: DRUMMOND & DUCKWORTH

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41): \$ 40.00

☒ Enclosed - Any excess or insufficiency should be credited or debited to deposit account

☐ Authorized to be charged to deposit account

Street Address: 4590 MACARTHUR BLVD.,

SUITE 500

8. Deposit account number:

City: NEWPORT BEACH State: CA ZIP: 92660

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9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

WILLIAM H. DRUMMOND

Name of Person Signing

Signature

1/31/00

Date

Total number of pages including cover sheet, attachments, and document: 4

ASSIGNMENT

In consideration of Ten Dollars (\$10.00) and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Douglas D. Burkett an individual, hereby sells and assigns to Zila, Inc. a Delaware corporation, its successors and assigns, the entire right, title and interest in and to the improvements described and claimed in International Patent Application entitled "*IN VIVO* STAIN COMPOUNDS AND METHODS OF USE TO IDENTIFY DYSPLASTIC TISSUE", (Drummond & Duckworth File No: 344-P-26) and in and to any and all applications for patent and patents therefor in any and all countries, including all divisions, reissues, continuations and extensions thereof, and all rights of application and foreign priority corresponding thereto, and authorizes and requests any official whose duty it is to issue patents, to issue any patent on said improvements or resulting therefrom to said Zila, Inc., its successors and assigns, and agrees that on request and without further consideration, but at the expense of said Zila, Inc, I will communicate to said Zila, Inc., or its representatives or nominees, any facts known to me respecting said improvements and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid Zila, Inc., its successors, assigns and nominees, to obtain and enforce proper patent protection for said invention in all countries. Douglas D. Burkett covenants with said Zila, Inc., its successors and assigns, that the



JUNE 27, 2000

PTAS

DRUMMOND & DUCKWORTH  
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UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

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JC09 Rec'd PCT/PTO 2 4 SEP 2001

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 01/31/2000

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BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

BURKETT, DOUGLAS D.

DOC DATE: 01/25/2000

ASSIGNEE:

ZILA, INC.  
5227 NORTH SEVENTH STREET  
PHOENIX, ARIZONA 85014

SERIAL NUMBER:

PATENT NUMBER:

PCT NUMBER: US0002602

FILING DATE:

ISSUE DATE:

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JOANN STEWART, EXAMINER  
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